IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 30TH JULY 2007 / 8TH SRAVANA 1929

WP(C).No. 13446 of 2007(A)

PETITIONER:

---

1. JAGATH CHANDH K.G., AGED 17 YEARS,
   XTH STANDARD, BETHANY ST.JOHN'S ENGLISH HIGHER SECONDARY SCHOOL KUNNAMKULAM, REPRESENTED BY HIS GUARDIAN & MOTHER AJITHAKUMARI K.R., KARANNAMKOTT HOUSE, KOKKUR P.O., MALAPPURAM DISTRICT.
   (APPLICATION FORM NO.7004)

2. SREEJITH K., AGED 16 YEARS,
   XTH STANDARD, BETHANY ST.JOHN'S ENGLISH HIGHER SECONDARY SCHOOL KUNNAMKULAM, REPRESENTED BY HIS GUARDIAN & MOTHER VIJAYA KUMAR S.P., SREENILAYAM HOUSE, KANIPAYOOR P.O., KUNNAMKULAM, THRISSUR
   (APPLICATION FORM NO.7001).

3. GREGORY PAUL T.G., AGED 16 YEARS,
   XTH STANDARD, BETHANY ST.JOHN'S ENGLISH HIGHER SECONDARY SCHOOL KUNNAMKULAM, REPRESENTED BY HIS GUARDIAN & FATHER GEO T.P., THEKKEKARA HOUSE, NEHRU NAGAR, 2ND AVENUE, KUNNAMKULAM, THRISSUR
   (APPLICATION FORM NO.7003).

4. AJEESH K., AGED 16 YEARS,
   XTH STANDARD, BETHANY ST.JOHN'S ENGLISH HIGHER SECONDARY SCHOOL KUNNAMKULAM, REPRESENTED BY HIS GUARDIAN & MOTHER VIJAYAM V., KARAMBIL HOUSE, PORKLANGAD P.O., THALAPPILLY THALUK
   (APPLICATION FORM NO.7006).

5. ROHIT M.ANIL, AGED 16 YEARS,
   XTH STANDARD, BETHANY ST.JOHN'S ENGLISH HIGHER SECONDARY SCHOOL KUNNAMKULAM, REPRESENTED BY HIS GUARDIAN & MOTHER REENA GEORGE K., MUGHILESERRY HOUSE, P.O.CHOWANOOR, KUNNAMKULAM,
   (APPLICATION FORM NO.7005).

6. SREERAG, AGED 15 YEARS,
   XTH STANDARD, BETHANY ST.JOHN'S ENGLISH HIGHER SECONDARY SCHOOL KUNNAMKULAM, REPRESENTED BY HIS GUARDIAN & MOTHER M.CHANDRA, PALAYOOR MANA, PAZHANJI, THALAPPILLY THALUK, THRISSUR
   (APPLICATION FORM NO.7002).

7. RAHUL T.M., AGED 16 YEARS, XTH STANDARD, S.N.TRUST H.S.S.NATIKA, REPRESENTED BY HIS GUARDIAN AND MOTHER RAJESWARI, THOZHUTHUMPARAMBIL HOUSE, POST THALIKULAM. (APPLICATION FORM NO.7023).

8. BHANUPRAKASH A.R., AGED 15 YEARS, XTH STANDARD, S.N.TRUST, H.S.S. NATIKA, REPRESENTED BY HIS GUARDIAN AND MOTHER BEENA RAGHUNATH, AALAKAL HOUSE, POST NATTIKA (APPLICATION NO.7022).

9. JITHIL RAJ K., AGED 15 YEARS, IXTH STANDARD, V.R.APPU MASTER MEMORIAL HIGH SCHOOL, THAIKKAD SOUTH, GUARDIAN AND FATHER A.T.RAJAN, KARALIPARAMBIL HOUSE, AZHIYANOOR POST THRISSUR (APPLICATION NO.7009).

10. PREM JOSEPH, AGED 16 YEARS, IXTH STANDARD, V.R.APPU MASTER MEMORIAL HIGH SCHOOL, THAIKKAD SOUTH, GUARDIAN AND FATHER P.F.JOSEPH, PULLIKOTTIL HOUSE, KANDANASERRY, THRISSUR. (APPLICATION FORM NO.7008)

11. SHARATH K.S., AGED 15 YEARS,IXTH STANDARD, V.R.APPU MASTER MEMORIAL HIGH SCHOOL, THAIKKAD SOUTH,REPRESENTED BY HIS FATHER AND GUARDIAN K.S.SUBRAMANIYAN,KODATHOOR HOUSE, POST NENMENI,(APPLICATION FORM NO.7007).

12. HARIS.P.A.,AGED 16 YEARS, IXTH STANDARD, ALEEMUL ISLAM HSS PADOOR, REPRESETNED BY HIS GUARDIAN AND MOTHER RUKSANA ABDUL JABBAR P.K. PUTHUVEETIL PILIVATHOOR P.O.(APPLICATION FORM NO.7013)

13. PRAVEEN K.MOHANAN, AGED 16 YEARS, XTH STANDARD,ST.MMCHSS KANNIPAYYUR, REPRESETNED BY HIS GUARDIAN AND FATHER K.A.MOHANAN, KOTTARAPATT HOUSE MARATHANMCODE P.O., KIDANGOOR,THRISSUR. (APPLICATION FORM NO.7016).

14. LIDSON JOSE, AGED 15 YEARS, XTH STANDARD,ASSISI ENGLISH MEDIUM H.S.S., THALAKKOTTUKARA, REP. BY HIS GUARDIAN AND FATHER O.M.JOSE, OLAKKALAGIL HOUSE, THALAKOTTUKARA, KEECHERY,THRISSUR(APPLICATION FORM NO.7010).

15. JINISH JANARDHANAN, AGED 17 YEARS, XTH STANDARD,DE-PAUL H.S.S. CHOONDAL, REPRESENTED BY HIS GUARDIAN AND MOTHER LATHA JANAR DHANAN,UTTUNGAL HOUSE, VETTUKAD, KILIMOOCHI, THRISSUR (APPLICATION FORM NO.8859).

16. MIJI.K.RAJU, AGED 16 YEARS, XTH STANDARD BETHERY ST. JOHN'S ENGLISH HIGHER SECONDARY SCHOOL KUNNAMKULAM REP. BY HER GUARDIAN AND MOTHER MERCY.K.S., KAKKASSERY HOUSE, KATTAKAMBAL,THRISSUR (APPLICATION FORM NO.224).

17. RESHMA MATHEW, AGED 15 YEARS,
XTH STANDARD BETHERY ST. JOHN'S ENGLISH HIGHER SECONDARY SCHOOL,KUNNAMKULAM REP. BY HER GUARDIAN AND FATHER MATHEW VARGHESE, MANDUMPALL HOUSE, AJNTA ISLAND, KUNNAMKULAM.(APPLICATION FORM NO. 226).

18. PRABEENA PRATHAP.K.,AGED 15 YEARS,
IXTH STANDARD BETHERY ST. JOHN'S ENGLISH HIGHER SECONDARY SCHOOL,KUNNAMKULAM REP. BY HER GUARDIAN AND FATHER K.V.PRATHAP, KUNDUKULANGARA HOUSE, M.G.ROAD, ANYAMPAL,KUNNAMKULAM.(APPLICATION FORM NO.227).

19. APARANA VASUDEVAN,AGED 15 YEARS,
IXTH STANDARD BETHERY ST. JOHN'S ENGLISH HIGHER SECONDARY SCHOOL,KUNNAMKULAM REP. BY HER GUARDIAN AND FATHER P.V.VASUDEVAN, DEVA NIVAS, P.O.CHALI-SSERRY, PALAKKAD.(APPLICATION FORM NO.226).

20. DHANYA VINCENT,AGED 15 YEARS,
IXTH STANDARD CRIST KING CONVENT GIRLS HIGH SCHOOL PARAVATTY,REPRESENTED BY HER GUARDIAN AND MOTHER BEENA VINCENT, EDAKALATHOOR, PARAVATTY DESO, THRISSUR.(APPLICATION FORM NO.258).

21. NEETHU.B.,AGED 14 YEARS, IXTH STANDARD,
THRIRUVALAYANOOR HIGHER SECONDRY SCHOOL,THRISSUR REPRESETNED BY HER GUARDIAN AND MOTHER RAMADEVI, NARAYANEEEYAM,NHAMANGAHT,VADAKKEKAD,THRISSUR (APPLICATION FORM NO.231).

22. SWATHI.T.S., AGED 15 YEARS, IXTH STANDA
RD,THRIRUVALAYANOOR HIGHER SECONDRY SCHOOL, THRISSUR REPRESETNED BY HER GUARDIAN AND FATHER SUBRAMANIAN, THARAYIL HOUSE,VADAKKEKAD,THRISSUR. (APPLICATION FORM NO.229).

23. FESSY PAPACHAN,AGED 15 YEARS,IXTH
STANDARD, B.C.G.H.S.S.,KUNNAMKULAM,
REPRESETNED BY HER GUARDIAN AND FATHER PAPPACHAN, KOLLADI HOUSE, CHITANOOR P.O.,KUNNAMKULAM, (APPLICATION FORM NO.251).

24. NIMA.N.K, AGED 16 YEARS, IXTH STANDARD,
B.C.G.H.S.S.,KUNNAMKULAM, REPRESETNED BY HER GUARDIAN AND FATHER KUMARAN.M.K.NEDIYEDATH HOUSE, AGATHIYOOR, KUNNAMKULAM(APPLICATION FORM NO.252)

25. BABIDA BABU.E.,AGED 16 YEARS, IXTH
STANDARD B.C.G.H.S.S.,KUNNAMKULAM, REPRESETNED BY HER GUARDIAN AND FATHER BABU.E.K.EAHUTHUPURAKKAL HOUSE,KUNNAMKULAM (APPLICATION FORM NO.253)

26. DENSI.K.A., AGED 15 YEARS, IXTH
STANDARD,THIRUVALAYANOOR HIGHER SECONDARY SCHOOL, THRISSUR REPRESETNED BYHER GUARDIAN AND FATHER ASOKAN.K.A.KULANGARA HOUSE, KOTTAPADI,THRISSUR. (APPLICATION FORM NO.230)

27. NINCY SANKAR, AGED 16 YERS, IXTH STANDARD ST.ANNES G.H.S.EDATHURUTHY, REP. BY HER GUARDIAN FATHER K.S.SIVASANKARAN,KUMBALAPARAMBIL HOUSE, EDATHURUTHY POST, THRISSUR. (APPLICATION NO.244).

28. ATHIRA,AGED 15 YEARS, IXTH STD, ALEEMUL ISLAM H.S.S. PADOOR,REP. BY HER GUARDIAN FATHER HARIHARAN.P.K.,PANDARATHIL HOUSE, KUNDALAYOOR, THRISSUR,(APPLICATION NO. 218.)

29. JUDIYET JOSEPH, AGED 16 YEARS, IXTH STD, ST.MARY'S.G.H.S.CHOWANNUR,REP. BY HER GUARDIAN AND MOTHER MAGGIE JOSEPHM.P., MANDUMPAL HOUSE,CHOWANNUR POST,KUNNAMKULAM,THRSSUR. (APPLICATION NO.216).

30. MILKA PRASAD.C., AGED 15 YEARS, IXTH STD, ST.MARY'S.G.H.S.CHOWANNUR,REP. BY HER GUARDIAN AND MOTHER LEEGI PRASAD,CHRUVATHOOR, HOUSE, CHIRMAMAN NAGAR, PARAYAMPADOM, AGATHIYOOR, KUNNAMKULAM,THRSSUR.(APPLICATION NO 215).

31. NIMMY SIMON, AGED 15 YEARS, IXTH STD, ST.MARY'S.G.H.S.CHOWANNUR,REP. BY HER GUARDIAN AND FATHER C.C.SIMON,CHUNGATH HOUSE CHIRMAMAN NAGAR, PARAYAMPADOM, AGATHIYOOR, KUNNAMKULAM,THRSSUR.(APPLICATION NO.215).

32. GREESHMA.E.U.,AGED 16 YEARS,IXTH STD, L.F.G.H.S.CHELKKARA,REPRESETNED BY HER GUARDIAN AND FATHER UNNIKRISHNAN.E.K., ERUPALATH HOUSE, PAINKULAM P.O.,THRSSUR.(APPLICATION NO.222).

33. SHAHANAS HUSSAIN, AGED 16 YEARS, IXTH STD,L.F.G.H.S.CHELKKARA,REPRESETNED BY HER GUARDIAN AND MOTHER RAMLABHEEVI.K.M.,VALIYAVEETIL HOUSE, CHELAKKARA,THRSSUR.(APPLICATION NO. 220).

34. SREDHA RAJAN,AGED 16 YEARS,IXTH STD, L.F.G.H.S.CHELKKARA,REPRESETNED BY HER GUARDIAN AND MOTHERKUNJUMOL RAJAN ABRAHAM,VAZHAKKA LAYIL HOUSE, THONNUR KARA POST, (APPLICATION NO. 223).

35. PRASEEJA.C.,AGED 16 YEARS,IXTH STD, L.F.G.H.S.CHELKKARA,REPRESETNED BY HER GUARDIAN AND FATHER PRABHAKARAN.C., CHEMBATH HOUSE, MULLOORKARA POST,THRISSUR. (APPLICATION NO. 267).

36. ROHINI.M.,AGED 16 YEARS,IXTH STD, L.F.G.H.S.CHELKKARA,REPRESETNED BY HER GUARDIAN AND FATHER MADHUSOODHANAN, M.V.SREELAKATH WARIAM, THEKKUMKARA POST,THRISSUR. (APPLICATION NO.268).

37. ANJU BABY,AGED 16 YEARS,IXTH STD,
L.F.G.H.S.CHELKKARA,REPRESETNED BY HER
GUARDIAN AND MOTHER MOLLY, POTHANIKKATTU HOUSE,
PANJAL P.O.,THRISSUR.(APPLICATION NO.221).

38. JYOTHI JOSEPH, AGED 15 YEARS,
IXTH STANDARD,CRIST KING CONVENT GIRLS HIGH
SCHOOL,PAVARATTY,REPRESETNED BY HER GUARDIAN AND
MOTHER GRACY JOSEPH.C.FRANCIS,CHIRAYANKANDATHU
HOUSE, P.O.PAVARATTY DESOM,THRISSUR.
(APPLICATION NO.265).

39. BRILLY.K.J.,AGED 16 YEARS,
IXTH STANDARD,CRIST KING CONVENT GIRLS HIGH
SCHOOL,PAVARATTY,REPRESETNED BY HER GUARDIAN AND
MOTHER ANNIE JOY K.V.KOLLLANOOR HOUSE,PAVARATTY,
THRISSUR.(APPLICATION NO.262).

40. EMILY.A.VARGHESE,AGED 15 YEARS,
IXTH STANDARD,CRIST KING CONVENT GIRLS HIGH
SCHOOL,PAVARATTY,REPRESETNED BY HER GUARDIAN AND
FATHER VARGHESE A.P.ANTHIKKATT HOUSE, KAKKASSERY,
PAVARATTY, THRISSUR.(APPLICATION NO.260).

41. JISNA JOHNY.C.,AGED 15 YEARS,
IXTH STANDARD,CRIST KING CONVENT GIRLS HIGH
SCHOOL,PAVARATTY,REPRESETNED BY HER GUARDIAN ANDFA
THER C.K.JOHNY,CHIRIYANKANDATH HOUSE, KAKKASSERY,
PAVARATTY, THRISSUR.(APPLICATION NO.259).

42. KEERTHI CLEMENT.C.,AGED 15 YEARS,
IXTH STANDARD,CRIST KING CONVENT GIRLS HIGH
SCHOOL,PAVARATTY,REPRESETNED BY HER GUARDIAN AND
MOTHER VALSA JACOB,CHAZHOOR HOUSE,
P.O.MULLASSERY,THRISSUR.(APPLICATION NO.264).

43. JEBNA NARUA,V,J, AGED 15 YEARS,
IXTH STANDARD,CRIST KING CONVENT GIRLS HIGH
SCHOOL,PAVARATTY,REPRESETNED BY HER GUARDIAN AND
MOTHER BETTY JAMES.V.O.,VADAKKAN HOUSE,
P.O.MULLASSERY,THRISSUR.(APPLICATION NO.263).

44. JYOTSNA.T.R., AGED 16 YEARS,
IXTH STANDARD, DE-PAUL.H.S.S.CHOONDAL,
REPRESETNED BY HER GUARDIAN AND FATHER RAMKUMAR.
T.B., MITHUNA AJANTHA COMPLEX,KANIPPAYYUR,
KUNNAMKULAM,THRSSUR.(APPLICATION NO.238)

45. SNEHA RAPHEL.K.,AGED 15 YEARS,
IXTH STANDARD,L.I.G.H.S., CHOONDAL,
REPRESETNED BY HER GUARDIAN AND MOTHER JOLLY
RAPHEL.K.A., KAKKASSERY HOUSE,THRSSUR.
(APPLICATION NO.210).

46. ANJALI.M.S.,AGED 15 YEARS,
IXTH STANDARD, JOSEPH & ST.SYRILS H.S.W.MANGAD,
REPRESETNED BY HER GUARDIAN AND MOTHER REMA.PT.,
MULLAPPULLY HOUSE, THIRTHIKAAD,PORKULAM,
THRSSUR.(APPLICATION NO.211).

47. AISWARYA.C.S,AGED 15 YEARS,
IXTH STANDARD,GOVY.H.S.S.,KADAVALLOOR,
REPRESETNED BY HER GUARDIAN AND MOTHER
SATHYABHAMA SASEENDRAN, VALIYAVETTIL HOUSE,
KADAVALLOOR,THRSSUR.(APPLICATION NO.250).

48. RESHMA MUKUNDAN.P.,AGED 15 YEARS,
IXTH STANDARD,GOVY.H.S.S.,KADAVALLOOR,
REPRESETNED BY HER GUARDIAN AND MOTHER JAYA
MUKUNDAN, PAKATH HOUSE, EZHUVANTHIRUTHY,PONNANI,
MALAPPURAM.(APPLICATION NO.249).

49. LEJI FRANCIS P., AGED 15 YEARS,
IXTH STANDARD,L.F.C.G.H.S.S.,MAMMIYOOR,
REPRESETNED BY HER GUARDIAN AND FATHER FRANCIS P.C
PULLIKOTTIL HOUSE,KOTTAPADI,THRISSUR.
(APPLICATION NO.266).

50. HARITHA.P.H.,AGED 16 YEARS,
IXTH STANDARD,L.F.C.G.H.S.S.,MAMMIYOOR,
REPRESETNED BY HER GUARDIAN AND MOTHER
RAMLATH HANEEF,ANDATHODE HOUSE,
BLANGAD,ERATTAPUZHA,THRISSUR. (APPLICATION NO.241)

51. AISWARIYA.E.J.,AGED 16 YEARS,
IXTH STANDARD,L.F.C.G.H.S.S.,MAMMIYOOR,
REPRESETNED BY HER GUARDIAN AND FATHER E.A.
JAYAPRAKASH,EXHUTHUPURAKKAL HOUSE, POST KOTTAPADY,
THRISSUR. (APPLICATION NO.242).

52. CLALIYA RAPHEL, AGED 16 YEARS,
IXTH STANDARD,L.F.C.G.H.S.S.,MAMMIYOOR,
REPRESETNED BY HER GUARDIAN AND FATHER M.V.RAPHEL,
MUTTATH HOUSE, PUTHENPALLY,GURUVAYOOR,
THRISSUR. (APPLICATION NO.243).

53. ASWATHI.C.D., AGED 16 YEARS,
ST.ANNE'S CONVENT HIGHER SECONDARY SCHOOL,
EDATHURUTHY REPRESETNED BY HER GUARDIAN AND
MOTHER RANI DEVAN,CHEMBAKASERRY HOUSE,POST
EDATHURUTHY.(APPLICATION NO.245).

54. SUNBHA.P.G.,AGED 15, XTH STANDARD,
THIRUVALAYANOOR HIGHER SECONDARY SCHOOL,
THRISSUR,REPRESETNED BY HER GUARDIAN AND MOTHER
AJITHA P.K.,PEROTH HOUSE, VYLATHOOR VILLAGE,
THRISSUR.(APPLICATION NO.228).

BY ADV. SRI.RAJIT
SRI.V.VIJAYAKUMAR

RESPONDENTS:
---

1. THE NATIONAL COMMISSIONER BHARAT SCOUTS
AND GUIDES, NATIONAL HEAD QUARTERS,
LAXMI MAZUMDAR BHAVAN, 16-MAHATMA GANDHI MARG,
INDRAPRASTHA ESTATE,NEW DELHI.

2. STATE ORGANIZING COMMISSIONER
(SCOUTS),KERALA STATE BHARAT SCOUTS AND GUIDES,
STATE HEAD QUARTERS, POST VIKAS BHAVAN,
TRIVANDRUM.

3. STATE ORGANIZING COMMISSIONER (GUIDES),
KERALA STATE BHARAT SCOUTS AND GUIDES,
STATE HEAD QUARTERS, POST VIKAS BHAVAN,
TRIVANDRUM.

4. STATE SECRETARY,
KERALA STATE BHARAT SCOUTS AND GUIDES,
STATE HEAD QUARTERS,POST VIKAS BHAVAN,
TRIVANDRUM.

BY ADV. SRI.M.K.CHANDRAMOHAN DAS,SC,SCOUTS&GUID

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P(C).No. 13446/07.

APPENDIX

PETITIONER'S EXHIBITS:

P1. COPY OF THE ORDER DTD.9.2.07 IN RESPECT OF P1 TO P15.

P2. COPY OF THE ORDER DTD.9.2.07 REJECTING THE APPLICATION FORM OF P16 TO P54.

Sdk+

///True copy///

P.A. to Judge.

S.SIRI JAGAN, J.

==========

W.P.(C).No.13446 of 2007

==========

Dated this the 30th day of July, 2007

J U D G M E N T

The petitioners are scouts and guides, who wanted to participate in the Rashtrapathy Rank Examination conducted by the respondents. Petitioners were not allowed to participate in the same on the ground that there were some minor mistakes in the applications submitted by the petitioners. By an interim order on 17.4.2007 I had directed the respondents to permit the petitioners to participate in the examination. It is now submitted that the petitioners were so allowed to participate in the examination and the examinations are over. Now final orders are to be passed in the writ petition. In view of the fact that the petitioners are minor students and mistakes in the applications are only minor mistakes, I am of opinion that they should not be denied permission to participate in the examination because of those mistakes. In the above circumstances, this writ petition is

disposed of in terms of the interim order. The respondents are directed to issue certificates to those of the petitioners who have passed the examination. Such petitioners shall produce the certificates before the Director of Public Instruction, who shall award marks in respect of such certificates, in accordance with rules.

Writ petition is disposed of as above.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.